

ESTTA Tracking number: **ESTTA1168819**

Filing date: **10/28/2021**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	92025859
Party	Plaintiff Empresa Cubana Del Tabaco d.b.a Cubatabaco
Correspondence Address	MICHAEL R. KRINSKY RABINOWITZ BOUDIN STANDARD KRINSKY & LIEBERMAN PC 320 WEST 85TH ST. NEW YORK, NY 10024 UNITED STATES Primary Email: mkrinsky@rbskl.com Secondary Email(s): dgoldstein@rbskl.com, lfrank@rbskl.com 212-254-1111
Submission	Other Motions/Submissions
Filer's Name	Lindsey Frank
Filer's email	lfrank@rbskl.com, mkrinsky@rbskl.com, dgoldstein@rbskl.com
Signature	/Lindsey Frank/
Date	10/28/2021
Attachments	Petitioner Response to Respondent Request for Oral Hearing.pdf(455422 bytes )

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the matter of Trademark Registration No. 1147309  
For the mark COHIBA  
Date registered: February 17, 1981

AND

In the matter of the Trademark Registration No. 1898273  
For the mark COHIBA  
Date registered: June 6, 1995

---

EMPRESA CUBANA DEL TABACO d.b.a.  
CUBATABACO,

Petitioner,

Cancellation No. 92025859

v.

GENERAL CIGAR CO., INC.,

Respondent.

---

**PETITIONER EMPRESA CUBANA DEL TABACO d.b.a CUBATABACO’S RESPONSE  
TO RESPONDENT GENERAL CIGAR CO., INC.’S REQUEST FOR ORAL HEARING**

Petitioner Empresa Cubana del Tabaco d.b.a. Cubatabaco (“Cubatabaco” or “Petitioner”) wishes to correct the record.

Respondent General Cigar Co., Inc., presumably inadvertently, states in its Request for Oral Hearing, 372 TTABVUE, that Petitioner also requests an oral hearing.

This is not correct. Petitioner has not, and does not, request an oral hearing, but, as it advised Respondent, it will participate in an oral hearing if an oral hearing is ordered by the Board.

Petitioner has agreed to the dates and times stated in Respondent’s Request in the event

the Board orders an oral hearing.

Dated: October 28, 2021

Respectfully submitted,

By: /Lindsey Frank /  
MICHAEL KRINSKY  
LINDSEY FRANK  
RABINOWITZ, BOUDIN, STANDARD,  
KRINSKY & LIEBERMAN, P.C.  
320 West 85<sup>th</sup> Street  
New York, New York 10024  
212-254-1111  
[lfrank@rbskl.com](mailto:lfrank@rbskl.com)  
*Attorneys for Empresa Cubana del Tabaco d.b.a.  
Cubatabaco*

**CERTIFICATE OF SERVICE**

The undersigned certifies that a true and correct copy of the foregoing was served on  
Respondent by electronic mail on October 28, 2021 to:

Andrew L. Deutsch  
John Nading  
Joshua Schwartzman  
DLA Piper US LLP  
2000 AVENUE OF THE STARS  
SUITE 400  
LOS ANGELES, DE 90067  
Telephone: (212) 335-4673  
[andrew.deutsch@dlapiper.com](mailto:andrew.deutsch@dlapiper.com)  
[john.nading@us.dlapiper.com](mailto:john.nading@us.dlapiper.com)  
[Joshua.schwartzman@us.dlapiper.com](mailto:Joshua.schwartzman@us.dlapiper.com)

/Lindsey Frank/  
\_\_\_\_\_  
Lindsey Frank